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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,537	12/19/2005	Takuzo Sano	OGW-0410	9370

7590 03/03/2009
Patrick G. Burns-Greer, Burns & Crain, Ltd.
300 South Wacker Drive, Suite 2500
Chicago, IL 60606

EXAMINER

SULTANA, NAHIDA

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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03/03/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/561,537	Applicant(s) SANO ET AL.	
	Examiner NAHIDA SULTANA	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/22/2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

Figures 5 and 6 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by anticipated by Ashley, Jr. et al. (US Patent No. 4, 962, 587).

Art Unit: 1791

For claim 1, Ashley, Jr. et al. teach: A method of manufacturing a support body for run flat ("A method for producing vehicle wheel rims is disclosed. The method, as applied to a wheel rim perform having given..."; Abstract), which comprises pressing a circumferential wall of a tubular blank between inner and outer molding rollers and rotating the inner and outer molding rollers to form at least one circumferentially continuous protruding part on the circumferential wall of the tubular blank to process the tubular blank into an annular shell ("Fig. 3 is cross-sectional view of a wheel rim perform mounted on metal spinning equipment which can be used in carrying out a wheel rim forming operation according to the present invention...Fig. 4 is a cross-sectional view of portion of the apparatus shown in Fig. 3, illustrating a first metal spinning operation in a method according to the present invention"; Col.2, lines 1-15; Example Figure 3-6; "With reference to FIG. 3a, metal spinning apparatus suitable for use in producing a stretched wheel rim according to the present invention, is illustrated. A mandrel mounted on spindle 26 for rotation thereabout, by fasteners 27. Opposite mandrel 25 is an end plate 28 mounted on a spindle for rotation thereabout by fasteners 30..."; Col. 3, lines 18-65; Col. 4, lines 1-25), wherein the inner molding roller is a molding roller having the maximum outer diameter that is substantially the same as the inner diameter of the tubular blank ("It may be desirable, in some instances, to drive roller 37 independently of the rotating wheel rim perform. The size and profile of the forming roller may be varied from that illustrated in FIG. 7"; Col. 4, lines 30-40; example figure 7).

For claim 2, Ashley, Jr. et al. teach wherein the maximum outer diameter of the inner molding roller is in a range of 95% to 100% of the inner diameter of the tubular

Art Unit: 1791

blank (Example figure 3-7; “It may be desirable, in some instances, to drive roller 37 independently of the rotating wheel rim perform. The size and profile of the forming roller may be varied from that illustrated in FIG. 7”; Col. 4, lines 30-40; example figure 7).

For claim 3, Ashley, Jr. et al. teach: A device for manufacturing a support body for run flat (“...a metal spinning apparatus suitable for use in producing a stretched wheel rim, according to the present invention, is illustrated... ”; Col. 3, lines 19-30), which comprises inner and outer molding rollers to press the circumferential wall of a tubular blank between the inner and outer molding rollers that are rotated to form at least one circumferentially continuous protruding part on the circumferential wall of the tubular blank to process the tubular blank into an annular shell (Example figure 3 Item # 37 and 25; “A vehicle wheel rim perform 10 is illustrated in FIG. 3, mounted on the end plate 28 and the mandrel 25 for rotation therewith about the common axis of rotation R. The end plate 28 has a surface 31 which is sized to provide friction fit with the interior surface 32 of perform 10, opposite the beat seat area 14, similarly the mandrel is sized, adjacent a first end 33 thereof to fit snugly inside the perform 10, internally engaging well 11 as shown”; Col. 3, lines 31-51), wherein the maximum outer diameter of the inner molding roller is substantially the same as the inner diameter of the tubular blank (Example Figure 3. and also Example figure 7. Col. 4, lines 30-40).

For claim 4, Ashley, Jr. et al. teach: wherein the inner molding roller adopts a structure that allows the roller to be disassembled into a plurality of parts (Figure 3,

Art Unit: 1791

Items # 28 ("end plate), 29 ("spindle for rotation"), 33-34 ("first and second end"); Col. 3, lines 30-50).

For claim 6, Ashley Jr. et al. teach: wherein the maximum outer diameter of the inner molding roller is set to be as large as 95 % to 100 % of the inner diameter of the tubular blank (Example figure 3-7; "It may be desirable, in some instances, to drive roller 37 independently of the rotating wheel rim perform. The size and profile of the forming roller may be varied from that illustrated in FIG. 7"; Col. 4, lines 30-40; The end plate 28 has a surface 31 which is sized to provide friction fit with the interior surface 32 of perform 10, opposite the beat seat area 14, similarly the mandrel is sized, adjacent a first end 33 thereof to fit snugly inside the perform 10, internally engaging well 11 as shown"; Col. 3, lines 31-51).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 1791

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ashley, Jr. et al. (US Patent No. 4, 962, 587), as applied to claim 1 above, and in view of Luedi (US Patent No. 4, 050, 135).

Regarding claim 5, Ashley, Jr. et al. teach all the limitation to the claimed invention above, but failed to teach wherein the inner molding roller adopts a structure that allows the roller to shrink in a radial direction.

In the same field of endeavor, flat base truck rim forming system, Luedi teach: wherein the inner molding roller adopts a structure that allows the roller to shrink in a radial direction ("The expandable outer die 23 is also segmented, comprising multiple die segments 32 and jaws 37 carried by lower table 33 To permit radial movement of the die segments 32, each jaw 37 is slideably received in a channeled formed by the table 33 so that the jaws are free to slide radially back and forth along the channel. Thus, the outer die 23 formed by the multiple segments 32 can be expanded and collapsed in the radial direction."; Col. 3, lines 39-45; see example figures 4- 5).

It would have been obvious to one ordinary skill in the art at the time of the applicant's invention to have rollers which can assemble into multiple parts taught as previously taught by Ashley Jr. et al. (example figure 3) with having rollers that can expand and collapse in radial direction for the benefit of providing sufficient clearance to enable rim blank to pass radically therebetween while forming the desired shape of the rim.

Response to Argument

Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent No. 7, 188, 648 B2; 6, 619, 350; 5, 800, 643; 7, 313, 864 B2; 5, 340, 524; 3, 258, 833; 6, 148, 498; 2, 086, 488; and U.S. Publication no. 2005/0028367 A1.

Also, JP 359209438 A, taught by Masataka et al. teach forming a material ring 21 is pressure held between inner rolls 30 and 31 and expanded. Inner rolls, 30 and 31 are tilted by the action of the cylinders 35, and 36, and the ring is rotated while applying large compressive force to the upper part of the ring 21.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAHIDA SULTANA whose telephone number is (571)270-1925. The examiner can normally be reached on Mon- Fri 7:30 Am - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Del Sole can be reached on 517-272-1130. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1791

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NS

/Joseph S. Del Sole/

Supervisory Patent Examiner, Art Unit 1791